

FOR PUBLICATION

ORDER

<p style="text-align: center;">IN THE DISTRICT COURT OF THE VIRGIN ISLANDS DIVISION OF ST. CROIX APPELLATE DIVISION</p>	
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SYLVESTER HODGE,)	
)	
Appellant,)	D.C. CRIM. APP. NO. 2007/0010
)	Re: Sup.Ct.Crim.No. F477/2005
v.)	
)	
PEOPLE OF THE VIRGIN ISLANDS,)	
)	
Appellee,)	
)	Consolidated with:
ALI BENJAMIN,)	
)	
Appellant,)	
)	
v.)	D.C. Crim. APP. NO. 2006/0019
)	Re: Sup.Ct.Crim.No. 478/2005
PEOPLE OF THE VIRGIN ISLANDS,)	
)	
Appellee.)	
)	

On Appeal from the Superior Court of the Virgin Islands

Considered: September 18, 2009

Filed: January 28, 2011

BEFORE: CURTIS V. GÓMEZ, Chief Judge, District Court of the Virgin Islands; **RAYMOND L. FINCH**, Judge of the District Court of the Virgin Islands; and **BRENDA J. HOLLAR**, Judge of the Superior Court of the Virgin Islands, sitting by designation.

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D.C. Crim. App. No. 2007-010 & D.C. Crim. App. No. 2006-019
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Maureen Phelan, Esq., AAG & Richard S. Davis, Esq., AAG
St. Thomas/St. Croix, U.S.V.I.
Attorneys for Appellee.

Per Curiam.

ORDER	
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AND NOW, for the reasons more fully cited in a Memorandum
Opinion of even date, it is hereby

ORDERED that the Superior Court's judgment of conviction is
VACATED. It is further

ORDERED that this matter is REMANDED for further
proceedings, including a new trial

SO ORDERED this 28 day of January 2011.

A T T E S T:
WILFREDO F. MORALES
Clerk of the Court

By: Virginia Hess
Deputy Clerk

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